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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MARTHA CATALINA GARCIA,) Case No.: 1:20-cv-01642-SKO
)
) STIPULATION FOR VOLUNTARY
) REMAND PURSUANT TO SENTENCE
) FOUR OF 42 U.S.C. § 405(g); ORDER
Plaintiff,)
) (Doc. 22)
v.)
KILOLO KIJAKAZI,)
Acting Commissioner of Social Security)
Defendant. ¹)

IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys, and with the approval of the Court, that the Acting Commissioner of Social Security has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g).

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 On remand, the Appeals Council will remand the case to an administrative law
2 judge (ALJ) for a new decision. The Appeals Council will instruct the ALJ to re-evaluate
3 the medical opinions and prior administrative medical findings. The Appeals Council will
4 instruct the ALJ to take further action, as warranted, to complete the administrative
5 record and resolve the above issues.

6 The parties further request that the Clerk of the Court be directed to enter a final
7 judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the
8 Commissioner.

9 Respectfully submitted,

10 Dated: November 4, 2021

11 /s/ Jonathan Omar Pena *
12 (*as authorized via e-mail on 11/4/21)
13 JONATHAN OMAR PENA
14 Attorney for Plaintiff

15 Dated: November 4, 2021

16 PHILLIP A. TALBERT
17 Acting United States Attorney
18 DEBORAH LEE STACHEL
19 Acting Regional Chief Counsel, Region IX
20 Social Security Administration

21 By: /s/ Margaret Lehrkind
22 MARGARET LEHRKIND
23 Special Assistant United States Attorney
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25 Attorneys for Defendant
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ORDER

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) ("Stipulation to Remand") (Doc. 22), and for cause shown, IT IS HEREBY ORDERED that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand.

The Clerk of Court is hereby DIRECTED to: (1) enter judgment in favor of Plaintiff Martha Catalina Garcia and against Defendant Kilolo Kijakazi, Acting Commissioner of Social Security; and (2) administratively close this file.

IT IS SO ORDERED.

Dated: November 5, 2021

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE